

**SENATE JOURNAL
65TH LEGISLATURE
SIXTH LEGISLATIVE DAY**

Helena, Montana
January 9, 2017

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Sales presiding. Invocation by Senator McClafferty. Pledge of Allegiance to the Flag.

Roll Call. Forty-eight members present, Senators Moore and Vincent excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 1/9/2017
Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the first, second, third, fourth, and fifth legislative days, find the same to be correct.

Correctly printed: **SB 20, SB 21, SB 56, SB 70, SB 79, SB 80, SB 81, SB 82, SB 83, SB 84, SB 85, SB 86, SB 87, SB 88, SB 89, SB 90, SB 91, SB 92.**

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair): 1/6/2017
SB 5, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "protest"
Insert: "refund"

2. Page 2, line 4.
Following: "protest"
Insert: "refund"

And, as amended, do pass.

SB 6, do pass.

STATE ADMINISTRATION (Brown, Chair): 1/6/2017
SB 8, do pass.
SB 16, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: the second "funded"
Insert: "at fiscal yearend"

2. Page 1, line 17.

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Following: "previous"

Insert: "or current"

Following: "year"

Insert: ", whichever is greater"

3. Page 1, line 25.

Strike: "Whenever"

Insert: "The fund shall be reviewed on an annual basis to determine whether the fund is soundly funded pursuant to 19-18-503.

(2) Based on the annual review:

(a) if"

4. Page 1, line 28.

Following: "town"

Strike: "."

Insert: ";

5. Page 1, line 29.

Strike: "(2) When"

Insert: "(b) if"

6. Page 2.

Following: line 3

Insert: "NEW SECTION. Section 3. Disposition of excess funds. (1) Based on the annual review required by 19-18-504, if the fund contains more than the maximum amount required to keep the fund soundly funded pursuant to 19-18-503, the city or town council shall transfer the excess funds as soon as possible.

(2) If the excess funds originated from a special voted levy pursuant to 19-18-504, the funds must be applied to reduce the special voted levy for the next or subsequent fiscal year.

(3) Any excess funds remaining after the transfer under subsection (1) must be transferred to the general fund to be used as budgeted by the city or town council."

Insert: "NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 19, chapter 18, part 5, and the provisions of Title 19, chapter 18, part 5, apply to [section 3]."

Renumber: subsequent section

And, as amended, do pass.

SB 19, do pass.

Without objection, the committee reports were adopted.

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FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 94, introduced by K. Regier, M. Blasdel, D. Fern, G. Hertz, B. Keenan, D. Mortensen, A. Olszewski, Z. Perry, D. Skees, referred to Taxation.

SB 95, introduced by L. Jones, referred to Finance and Claims.

SB 96, introduced by C. Smith, D. Bartel, S. Berglee, M. Blasdel, B. Brown, D. Brown, T. Burnett, M. Caferro, A. Curtis, A. Doane, R. Ehli, J. Essmann, J. Fielder, K. Flynn, W. Galt, T. Gauthier, C. Glimm, E. Greef, B. Hamlett, B. Harris, G. Hertz, S. Hinebauch, J. Hinkle, K. Holmlund, M. Hopkins, D. Jones, D. Kary, J. Keane, B. Keenan, A. Knudsen, C. Knudsen, M. Lang, D. Lenz, D. Loge, R. Lynch, F. Mandeville, T. Manzella, W. McKamey, F. Moore, D. Mortensen, M. Noland, J. O'Hara, A. Olszewski, R. Osmundson, J. Patelis, A. Redfield, K. Regier, V. Ricci, A. Rosendale, S. Sales, L. Sheldon-Galloway, D. Skees, C. Smith, S. Staffanson, R. Tempel, F. Thomas, J. Trebas, B. Tschida, B. Usher, G. Vance, C. Vincent, S. Vinton, K. Wagoner, P. Webb, R. Webb, J. Windy Boy, C. Wolken, D. Zolnikov, referred to Public Health, Welfare and Safety.

SB 97, introduced by K. Regier, referred to Judiciary.

SB 98, introduced by C. Smith, referred to Judiciary.

SB 99, introduced by C. Smith, M. Blasdel, referred to Judiciary.

SB 100, introduced by C. Smith, referred to Public Health, Welfare and Safety.

The following Senate bill, previously introduced, was referred to committee:

SB 93, introduced by T. Richmond, referred to Energy and Telecommunications.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Tuesday, January 10, 2017, the 7th legislative day. Motion carried.

Senate adjourned at 1:12 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate